

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

JUSTIN CORNELL,

Petitioner,

v.

Civil Action No. **3:21CV593**

DIRECTOR HAROLD CLARKE,

Respondent.

**MEMORANDUM ORDER
(Serving 28 U.S.C. § 2254 Petition)**

Petitioner, a Virginia state prisoner proceeding *pro se*, submitted a petition under 28 U.S.C. § 2254. Petitioner has paid the full filing fee. Upon consideration of Petitioner's payment of the full filing fee and the petition for a writ of habeas corpus, it is ORDERED that:

1. The petition is FILED;
2. Respondent shall file a responsive pleading within thirty (30) days of the receipt of this Memorandum Order;
3. Respondent will treat this Memorandum Order as a request that the records of the state criminal trial and habeas corpus proceeding, if deemed pertinent and available, be forwarded to the Clerk's Office in Richmond, Virginia. Such records shall be returned to the proper repository upon conclusion of the federal proceedings;
4. Petitioner is subject to the requirements of Rule 5 of the Federal Rules of Civil Procedure. From this point on, Petitioner must mail a copy of every document to counsel for Respondent. No document submitted by Petitioner will be considered without an attached

certificate stating that Petitioner has mailed a copy of the document to counsel for Respondent. The required certificate must also show the date and manner of service;

5. Petitioner immediately must advise the Court of his new address in the event he is transferred, released, or otherwise relocated while the action is pending. **FAILURE TO DO SO MAY RESULT IN DISMISSAL OF THE ACTION**; and,

6. The Court DOES NOT ACCEPT documents or pleadings submitted on paper that exceeds 8 1/2 inches by 11 inches in size, or that contains writing on the reverse side of a page. **ANY SUBMISSION MADE IN VIOLATION OF THIS PARAGRAPH WILL NOT BE CONSIDERED BY THE COURT.**

The Clerk of the Court is DIRECTED to serve Respondent. Service shall be made by electronically transmitting a copy of this Memorandum Order and the petition to the Attorney General for the Commonwealth of Virginia. A copy of this Memorandum Order shall also be sent to Petitioner.

It is so ORDERED.



/S/
Elizabeth W. Hanes
United States Magistrate Judge

Date: September 30, 2021
Richmond, Virginia